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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/718,228	11/21/2000	Denise L. Draper	337298002US	8365

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BEYER WEAVER & THOMAS LLP
P.O. BOX 70250
OAKLAND, CA 94612-0250

EXAMINER
ROBINSON, GRETA LEE

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/718,228	DRAPER ET AL.
	Examiner	Art Unit
	Greta L. Robinson	2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>07 February 2005</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-89</u> is/are pending in the application.

   4a) Of the above claim(s) <u>52-64</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-51 and 65-89</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>07 February 2005</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____.
   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>03/17/05</u>.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

September 30, 2004 has been entered.

2.   Claims 1-89 are pending in the present application.

3.   Claims 1, 4, 11-13, 15, 18-20, 27, 31-36, 42, 43 and 45 have been amended; and

new claims 65-89 have been added.

Information Disclosure Statement

4.   The information disclosure statement (IDS) submitted on March 17, 2005 is in

compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure

statement has been considered by the examiner, note attached copy of form PTO 1449.

Drawings

5.   The drawings were received on February 7, 2005. These drawings are

acceptable.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

7.   Claims 1-3, 5-17, 20-51 and 65-89 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Yalcinalp (US Patent 6,507,857 B1) in view of Bhatt et al. US Patent

6,799,184 B2 and Sarkar US Patent 6,418448 B1.

Regarding claim 1, **Yalcinalp** teaches a computer-readable medium containing a

data structure defining a query definition [abstract], the data structure including:

a query specification including query text and parameters, the parameters having

values that may be set when the query definition is executed [see: define external

component to XSLT processor step 505 and step 525 pass arguments defined, figure 5;

col. 7 lines 34-44 "various parameters and arguments may be associated with the

component"];

a results transform that transform results of executing the query specification into

a canonical format [see: element 106 transformation engine figure 1; col. 8 lines 49-61];

and

a data source identifier that identifies a data source to be used when the query

specification is executed [note: figure 2; col. 5 lines 7-60].

Although Yalcinalp teach the invention substantially as cited above, they do not

explicitly teach an API encapsulating the query definition. **Bhatt et al.** teaches an API

interface [note : column 14 lines 45-50, the XML data transform module uses simple API

for XML methodology ; column 7 lines 13-17 the XML Query Support Engine is written

in JAVA; also note Figure 3]. It would have been obvious to one of ordinary skill at the

time of the invention to have combined Bhatt et al. with Yalcinalp because an API

would provide compatibility of access to a number of different platforms. Although

Yalcinalp and Bhatt et al. teach the invention they do not explicitly state that the API

acts to encapsulate the information. **Sarkar** teaches that the JAVA classes encapsulate

logic to be applied on relational data or other media data [note: column 6 lines 14-28;

Figures 4 and 6]. It would have been obvious to one of ordinary skill in the data

processing arts to have combined Sarkar with the cited references because Sarkar

shows how the XML interface (i.e. API) is implemented and compatible in a multi-tier tier

client server environment.

8.   Regarding claims 2-3 and 5-10:

        "wherein the results transform is an XSL transform" ... "wherein the data

structure is represented in XML format" ... "wherein the data structure includes a name

... a description ... an author ... date last modified ... can be used for different

applications" [note: figure 2; col. 2 lines 23-64; col. 6 line 43 through col. 7 line 13].

9.   Regarding claims 11-17, the limitations have been addressed above in claims 1-

3 and 5-10, except for the following: "transforming the generated results in the raw

format to a canonical format" ... "updating the value of the parameter wherein the value

is stored with the query specification" [see: note transformation steps figure 6 steps 305

and 310; figure 4 step 425; col. 6 line 43 through col. 7 line 26].

10.   Regarding claim 20, "computer-based method for performing queries ... under

control of different application programs ... receiving an indication of a query definition"

[see: col. 4 lines 61-67].

11.   Regarding claims 21-26 and 27-34 the limitations parallel claims 11-17 and 1-10;

therefore they are rejected under the same rationale.

12.   Regarding claim 35, "receiving a query definition that includes a query

specification ... requesting execution of the query definition to generate results" [note:

figure 3-5].

13.   Regarding claims 36-44, thee limitations have been addressed above except for

the following: "wherein the query definition is a lens file ... a single file" [note: XML

document col. 5 lines 7-67].

14.   The limitations of claims 45-51 have been addressed above in claims 1-3 and 5-

10; therefore they are rejected under the same rationale.

15.   Claim 4, Yalcinalp teaches the invention substantially as applied to claims 1;

however Yalcinalp does not specifically teach wherein the data structure conforms with

the data type definition of XML <!DOCTYPE lens> [note: Sarkar teaches user-defined

package definitions see abstract, column 4 line 44 through column 12 line 37].

16.   Regarding claims 18 and 19, Yalcinalp does not specifically show a table of

elements with one or more rows. However Sarkar provides for this feature [note: Sarkar

Figures 18 and 19; column 12 line 35 through column 13 line 62]. It would have been

obvious to one of ordinary skill at the time of the invention to have combined the cited

references because Sarkar shows how the mapped elements are defined in a

framework.

17.   Regarding claims 65-76, wherein the API provides a function that lists available

query definitions ... provides one or more functions ... wherein each of the parameters

includes an ignore attribute [note: Sarkar's framework provides for customization see

abstract, column 4 lines 64-67; column 6 lines 51-65; sorting in well known in the data

processing arts].

Response to Arguments

18.   Applicant's arguments with respect to claims 1-51 and 65-89 have been

considered but are moot in view of the new ground(s) of rejection.

Applicant argued that prior art reference Yalcinalp does not teach an API

encapsulating the query definition; and that prior art reference Chen fails to disclose or

suggest a table. In response to Applicant's argument Bhatt et al. US Patent 6,799,184

B2 and Sarkar US Patent 6,418448 B1 are cited. Bhatt et al. depicts an API interface,

while Sarkar further teaches that XML has the ability to encapsulate information

because it is written in the JAVA language. Prior art reference Chen has been replace

with Sarkar note citations supra.

Conclusion

19.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Greta L. Robinson whose telephone number is (571)

272-4118. The examiner can normally be reached on Mon.-Fri. 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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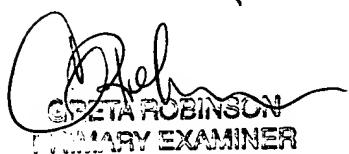
Greta Robinson
Primary Examiner
May 26, 2005